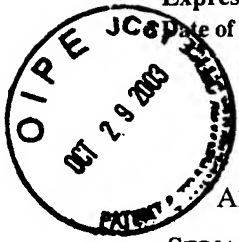


Express Mail Label No.: EV 312709651 US

Date of Deposit: October 29, 2003

Attorney Docket No. 21402-230



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Spytek, *et al.*
SERIAL NUMBER : 10/038,854 EXAMINER : Cheyne D. Ly
FILING DATE : December 31, 2001 ART UNIT : 1616
FOR : PROTEINS AND NUCLEIC ACIDS ENCODING SAME

Mail Stop IDS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed within three months of the mailing date for the International Search Report for PCT application PCT/US01/49976. Accordingly, no fee or certification is believed required.

A copy of the reference in the above-identified application is enclosed unless otherwise indicated on the attached modified Form PTO-1449. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Spytek, et al.**
U.S.S.N.: **10/038,854**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-230 (Cura-530).

Respectfully submitted,

for Janine M. Susan, Reg. No. 46,119
Ivor R. Elrifi, Reg. No. 39,529
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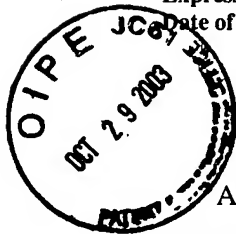
Dated: October 29, 2003

TRA 1847028v1

Express Mail Label No.: EV 312709651 US

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Attorney Docket No.: 21402-230



10-30-03

1616

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Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited References C280-287; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 21402-230 (Cura-530). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

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Date: October 29, 2003

Please type a plus sign (+) in this box



Modified Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

| | |
|-------------------------------|--------------|
| Application Number | 10/038,854 |
| Filing Date | 12/31/01 |
| First Named Inventor | Spytek |
| Group Art Unit | 1616 |
| Examiner Name | Cheyne D. Ly |
| Attorney Docket Number | 21402-230 |

U.S. PATENT DOCUMENTS

| Exam Initials | Cite No. | U.S. Patent Document No. | Issue Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
|------------------|-------------|-----------------------------|------------|-------------------------------------|-------|--------------|-------------------------------|
|------------------|-------------|-----------------------------|------------|-------------------------------------|-------|--------------|-------------------------------|

FOREIGN PATENT DOCUMENTS

| Exam Initials | Cite No. | Foreign Patent Document Office Number | Name of Patentee(s) or Applicant(s) | Date of Publication | Translation Yes No |
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

| Exam Initials | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. |
|------------------|-------------|---|
| | C280 | Anderson, et al., "Mutations at the Lysosomal Acid Cholesteryl Ester Hydrolase Gene Locus in Wolman Disease", <i>Proc. Natl. Acad. Sci. USA</i> , 91:2718-2722 (1994). |
| | C281 | Attwood, "The Babel of Bioinformatics", <i>Science</i> , 290:471-473 (2000). |
| | C282 | Database NCBI on STN, AN P38571, GENBANK, Oct. 1, 1994, Anderson et al., <i>Biol. Chem.</i> , 266:22479-22484 (1991). |
| | C283 | Gerhold, et al., "It's the Genes! EST Access to Human Genome Content", <i>BioEssays</i> , 18:973-981 (1996). |
| | C284 | Lopez, et al., "Whole-Genome Sequence Annotation: 'Going Wrong with Confidence'", <i>Molecular Microbiology</i> , 32:886-887 (1999). |
| | C285 | Russell, et al., "Structural Features Can Be Unconserved in Proteins with Similar Folds", <i>J. Mol. Biol.</i> , 244:332-350 (1994). |
| | C286 | Wells, et al., "The Chemokine Information Source: Identification and Characterization of Novel Chemokines Using the WorldWideWeb and Expressed Sequence Tag Database", <i>Journal of Leukocyte Biology</i> , 61:545-550 (1997). |
| | C287 | International Search Report for PCT/US01/49976, mailed August 29, 2003. |

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.